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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

SAMUEL JENKINS,

Plaintiff,

v.

OFFICE DEPOT, INC.,

Defendant.

Case No. 2:21-cv-00204-APG-NJK

**ORDER**

[Docket No. 16]

12 Pending before the Court is the parties' stipulation to extend discovery deadlines. Docket  
13 No. 16. The parties request a 60-day extension of discovery deadlines. *Id.* at 2–3.

14 A request to extend deadlines in the Court's scheduling order must be supported by a  
15 showing of good cause for the extension. LR 26-3; *see also Johnson v. Mammoth Recreations,*  
16 *Inc.*, 975 F.2d 604, 608 (9th Cir. 1992).<sup>1</sup> The "good cause" inquiry focuses mainly on the  
17 movant's diligence. *Coleman v. Quaker Oats Co.*, 232 F.3d 1271, 1294–95 (9th Cir. 2000). Good  
18 cause to extend a discovery deadline exists "if it cannot reasonably be met despite the diligence of  
19 the party seeking the extension." *Johnson*, 975 F.2d at 609. While prejudice to the opposing party  
20 may also be considered, when the movant "fail[s] to show diligence, 'the inquiry should end.'"  
21 *Coleman*, 232 F.3d at 1295 (quoting *Johnson*, 975 F.2d at 609). The Court has broad discretion  
22 in supervising pretrial litigation. *Zivkovic v. S. Cal. Edison Co.*, 302 F.3d 1080, 1087 (9th Cir.  
23 2002).

24 On March 18, 2021, the Court issued a scheduling order setting deadlines for this case.  
25 Docket No. 14. The parties, however, have failed to conduct any discovery since the Court issued  
26 the scheduling order. *See* Docket No. 16 at 1–2. Further, Defendant has not even made initial

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28 <sup>1</sup> The "good cause" standard in Local Rule 26-3 is the same as the standard governing  
modification of the scheduling order under Fed. R. Civ. P. 16(b).

1 disclosures. *See id.* The parties, therefore, have failed to demonstrate the diligence required for  
2 an extension of discovery deadlines. The parties also fail to comply with the Court's Local Rules  
3 requiring a specific statement of discovery that remains to be completed. *See* LR 26-3(b).

4 Accordingly, the parties' stipulation, Docket No. 16, is hereby **DENIED** without prejudice.

5 IT IS SO ORDERED.

6 Dated: June 4, 2021

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10 Nancy J. Koppe  
11 United States Magistrate Judge  
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